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PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEABED AUTHORITY
AND FOR THE INTERNATIONAL
TRIBUNAL FOR THE LAW OF THE
SEA
New York, 12-30 August 1991

DECISION ADOPTED ON 21 AUGUST 1991 BY THE CENERAL COMMITTEE OF THE PREPARATORY COMMISSION FOR THE INTERNATIONAL SEABED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA ON THE APPLICATION SUBMITTED BY THE GOVERNMENTS OF THE REPUBLIC OF BULGARIA, THE REPUBLIC OF CUBA, THE CZECH AND SLOVAK FEDERAL REPUBLIC, THE REPUBLIC OF POLAND AND THE UNION OF SOVIET SOCIALIST REPUBLICS FOR REGISTRATION OF THE INTEROCEANMETAL JOINT ORGANIZATION AS A PIONEER INVESTOR UNDER RESOLUTION II OF THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA

1. Pursuant to resolution II of the Third United Nations Conference on the Law of the Sea and the statement on the implementation of resolution II of the Preparatory Commission of 5 September 1986 (LOS/PCN/L.41/Rev.1, annex), the General Committee, in accordance with rule 14, paragraph 3, of the rules of procedure of the Preparatory Commission, has considered the application submitted by the Governments of the Republic of Bulgaria, the Republic of Cuba, the Czech and Slovak Federal Republic, the Republic of Poland and the Union of Soviet Socialist Republics for registration of the Interoceanmetal Joint Organization as a pioneer investor under resolution II of the Third United Nations Conference on the Law of the Sea. The General Committee had before it a report of the Group of Technical Experts (LOS/PCN/BUR/INF/R.8) established by the Preparatory Commission to examine the application. In addition, the applicant had released for the consideration of the General Committee the formal part of its application (LOS/PCN/BUR/INF/R.11).

2. The General Committee noted that, in accordance with paragraph 4 of the statement of understanding of 5 September 1986 (document LOS/PCN/L.41/Rev.1, annex), the Group of Technical Experts had determined that the application of the Governments of the Republic of Bulgaria, the Republic of Cuba, the Czech and Slovak Federal Republic, the Republic of Poland and the Union of Soviet

Socialist Republics for registration of the Interoceanmetal Joint Organization as a pioneer investor was in conformity with resolution II of the Third United Nations Conference on the Law of the Sea, in particular with the principle of equal estimated commercial value, subject to the guidelines and procedures set forth in the above-mentioned statement of understanding.

3. It was noted that in accordance with paragraph 21 of the statement of understanding of 5 September 1986 (LOS/PCN/L.41/Rev.1, annex) "a group of all or several socialist States of Eastern Europe, or a group of State enterprises of such States, shall have the right to apply as pioneer investors in accordance with resolution II for one pioneer area until the United Nations Convention on the Law of the Sea enters into force." The following States - Bulgaria, Byelorussian SSR, Czechoslovakia, German Democratic Republic, Hungary, Poland, Ukrainian SSR and the USSR - were identified as falling within this category (LOS/PCN/L.41/Rev.1, annex, note a, p. 13). Cuba, which is one of the States submitting the application, was not included in the list. The General Committee decided to recommend to the Preparatory Commission that Cuba be deemed to be included in the above-mentioned list of States.

4. The General Committee has also noted that in the application submitted by the Governments of the Republic of Bulgaria, the Republic of Cuba, the Czech and Slovak Federal Republic, the Republic of Poland and the Union of Soviet Socialist Republics for registration of the Interoceanmetal Joint Organization as a pioneer investor under resolution II of the Third United Nations Conference on the Law of the Sea, the following declarations have been made.

5. The certifying States signed the United Nations Convention on the Law of the Sea on 10 December 1982.

6. The application area is a part of the international seabed area and is beyond the limits of national jurisdiction of any State.

7. The certifying States have ensured that the areas in respect of which the application is made do not overlap with pioneer areas and reserved areas already delineated or with those claimed by the pioneer investors referred to in paragraph 1 (a) (ii) of resolution II of the Third United Nations Conference on the Law of the Sea. The certifying States have taken steps to make sure that the application area does not overlap with the areas claimed by the already known potential pioneer investors.

8. The certifying States declare that Interoceanmetal (IOM) will make the payment of $US 250,000 as the fee for registration as a pioneer investor and for the allocation of a pioneer area as soon as the applicant is advised by the Preparatory Commission.

9. In case of registration of Interoceanmetal as a pioneer investor, Interoceanmetal undertakes to conduct its pioneer activities in accordance with the provisions of resolution II, as interpreted and applied by the Preparatory Commission, in particular in the understanding of the fulfilment

of obligations by the registered pioneer investors and their certifying States (LOS/PCN/L.87, annex).

10. The General Committee, having considered the application of the Governments of the Republic of Bulgaria, the Republic of Cuba, the Czech and Slovak Federal Republic, the Republic of Poland and the Union of Soviet Socialist Republics for registration of the Interoceanmetal Joint Organization as a pioneer investor under resolution II of the Third United Nations Conference on the Law of the Sea, taking into account the report submitted by the Group of Technical Experts, has noted with appreciation the conclusions reached by the Group of Technical Experts:

(a) Having examined the technical particulars submitted by the applicant which are summarized in section I of its report (LOS/PCN/BUR/R.8), the Group concluded that the application had been submitted in accordance with resolution II and the understanding contained in document LOS/PCN/L.41/Rev.1;

(b) Having evaluated the technical data and information submitted by the applicant as referred to in section II of its report, the Group determined that areas A and B were of equal estimated commercial value;

(c) As regards the designation of the reserved areas and the allocation of the pioneer area, the Group agreed to recommend for the consideration of the General Committee:

(i) That area A should be designated as the area to be reserved for the Authority;

(ii) That area B, which includes an area of 52,300 square kilometres identified by the applicant, should be designated as the pioneer area to be allocated to the applicant.

11. Accordingly, the General Committee, taking into account the readiness of the applicant and the certifying State to comply with their obligations under resolution II and the above-mentioned statement of understanding,

DECIDES:

(a) To designate area A, as the part of the application area which is to be reserved for the conduct of activities by the Authority in the Area through the Enterprise or in association with developing States;

(b) To allocate area B, which includes an area of 52,300 square kilometres identified by the applicant, as a pioneer area to the applicant, the Interoceanmetal Joint Organization;

(c) To annex the coordinates of areas A and B hereto;

(d) That a certificate of registration shall be issued to the applicant.

12. The certificate of registration of the application submitted by the Governments of the Republic of Bulgaria, the Republic of Cuba, the Czech and Slovak Federal Republic, the Republic of Poland and the Union of Soviet Socialist Republics shall record:

(a) The identity of the applicant and of the certifying States;

(b) The date of signature of the Convention by the certifying States;

(c) The date of receipt of the application and any revisions thereto;

(d) The date of the decision for registration as a pioneer investor;

(e) The date of registration as a pioneer investor;

(f) The precise geographical coordinates of the area allocated to the applicant as a pioneer area;

(g) The exclusive right of the pioneer investor to carry out pioneer activities in the pioneer area allocated to it under resolution II of the Third United Nations Conference on the Law of the Sea;

(h) The requirements of compliance by the pioneer investor with its obligations under resolution II and the above-mentioned statement of understanding;

(i) The requirements of compliance by the certifying States with their commitments under resolution II.

13. The General Committee

REQUESTS the Secretary-General of the United Nations:

(a) To inform all participants of the Preparatory Commission of this decision;

(b) To give due publicity to the coordinates of areas A and B;

(c) To maintain a register for the purpose of registering the pioneer investor and to record the reserved area;

(d) To advise the applicant of the administrative arrangements necessary for the payment of fee and to prepare and issue to the applicant a certificate of registration.

Annex

COORDINATES OF THE TURNING POINTS OF AREAS A AND B REFERRED TO IN PARAGRAPHS 11 (a) AND (b) OF THIS DECISION

1. Area A, designated as the reserved area for conduct of activities by the Authority in the Area through the Enterprise or in association with developing States, is bounded by lines joining the following turning points, the coordinates of which are listed below:

SECTOR A1

Turning points	Latitude (N)	Longitude (W)
1.	12° 00'	123° 00'
2.	13° 21'	123° 00'
3.	13° 21'	122° 30'
4.	13° 30'	122° 30'
5.	13° 30'	122° 10'
6.	14° 00'	122° 10'
7.	14° 00'	122° 20'
8.	16° 20'	122° 20'
9.	16° 20'	121° 20'
10.	16° 25'	121° 20'
11.	16° 25'	120° 40'
12.	15° 50'	120° 40'
13.	15° 50'	120° 20'
14.	15° 20'	120° 20'
15.	15° 20'	120° 30'
16.	14° 30'	120° 30'
17.	14° 30'	120° 45'
18.	14° 20'	120° 45'
19.	14° 20'	121° 50'
20.	14° 00'	121° 50'
21.	14° 00'	121° 20'
22.	13° 40'	121° 20'
23.	13° 40'	121° 10'
24.	12° 00'	121° 10'
1.	12° 00'	123° 00'

SECTOR A2

Turning points	Latitude (N)	Longitude (W)
1.	8° 40'	121° 30'
2.	9° 20'	121° 30'
3.	9° 20'	122° 00'
4.	9° 40'	122° 00'
5.	9° 40'	122° 30'
6.	9° 50'	122° 30'
7.	9° 50'	123° 20'
8.	10° 30'	123° 20'
9.	10° 30'	124° 30'
10.	11° 00'	124° 30'
11.	11° 00'	123° 40'
12.	11° 20'	123° 40'
13.	11° 20'	122° 10'
14.	11° 00'	122° 10'
15.	11° 00'	121° 30'
16.	10° 30'	121° 30'
17.	10° 30'	120° 00'
18.	9° 40'	120° 00'
19.	9° 40'	120° 47.440'
20.	8° 40'	120° 47.440'
1.	8° 40'	121° 30'

2. Area B, allocated as a pioneer area to the applicant, Interoceanmetal Joint Organization (IOM), is bounded by lines joining the following points, the coordinates of which are listed below:

SECTOR B1

Turning points	Latitude (N)	Longitude (W)
1.	13° 50'	120° 20'
2.	14° 30'	120° 20'
3.	14° 30'	120° 30'
4.	15° 20'	120° 30'
5.	15° 20'	120° 20'
6.	15° 40'	120° 20'
7.	15° 40'	119° 50'
8.	16° 00'	119° 50'
9.	16° 00'	120° 10'
10.	16° 30.790'	120° 10'
11.	16° 30.790'	119° 00'
12.	15° 20'	119° 00'
13.	15° 20'	118° 50'
14.	14° 30'	118° 50'
15.	14° 30'	119° 30'
16.	13° 50'	119° 30'
1.	13° 50'	120° 20'

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SECTOR B2

Turning points	Latitude (N)	Longitude (W)
1.	8° 40'	120° 47.440'
2.	9° 40'	120° 47.440'
3.	9° 40'	120° 00'
4.	10° 30'	120° 00'
5.	10° 30'	120° 30'
6.	10° 45'	120° 30'
7.	10° 45'	121° 00'
8.	11° 00'	121° 00'
9.	11° 00'	121° 10'
10.	11° 20'	121° 10'
11.	11° 20'	121° 40'
12.	12° 00'	121° 40'
13.	12° 00'	121° 10'
14.	13° 20'	121° 10'
15.	13° 20'	119° 50'
16.	13° 10'	119° 50'
17.	13° 10'	119° 25'
18.	12° 20'	119° 25'
19.	12° 20'	119° 50'
20.	11° 50'	119° 50'
21.	11° 50'	119° 25'
22.	9° 45'	119° 25'
23.	9° 45'	119° 00'
24.	8° 50'	119° 00'
25.	8° 50'	119° 50'
26.	8° 40'	119° 50'
1.	8° 40'	120° 47.440'

SECTOR B3

Turning points	Latitude (N)	Longitude (W)
1.	7° 40'	123° 35'
2.	8° 15'	123° 35'
3.	8° 15'	124° 00'
4.	9° 05'	124° 00'
5.	9° 05'	122° 30'
6.	9° 20'	122° 30'
7.	9° 20'	121° 30'
8.	8° 55'	121° 30'
9.	8° 55'	122° 00'
10.	8° 45'	122° 00'
11.	8° 45'	122° 10'
12.	8° 35'	122° 10'
13.	8° 35'	122° 45'
14.	7° 40'	122° 45'
1.	7° 40'	123° 35'